Benjamin E. Haglund (BH 3350) DAY PITNEY LLP 7 Times Square New York, NY 10036-7311 (212) 297 5800

Attorneys for Defendant Deutsche Bank Trust Corporation

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE WORLD TRADE CENTER LOWER

MANHATTAN DISASTER SITE LITIGATION : Case No.: 21 MC 102 (AKH)

**:** 

ARMANDO GUZMAN, Case No.: 07-cv-5556 (AKH)

Plaintiff, : NOTICE OF ADOPTION OF

ANSWER TO MASTER
COMPLAINT ON BEHALF OF

DEUTSCHE BANK TRUST
CORPORATION

ALAN KASMAN DBA KASCO, et al.,

Defendants.

PLEASE TAKE NOTICE THAT defendant Deutsche Bank Trust Corporation, individually and formerly known as Bankers Trust Corporation ("DB Trust"), having its principal place of business at 60 Wall Street, New York, NY 10005, as and for its responses to the allegations set forth in plaintiff's Complaint by Adoption ("Check-Off Complaint") related to the Master Complaint filed in the above-referenced action, hereby adopts the Deutsche Bank Trust Corporation Answer to the Master Complaint, dated August 2, 2007, which was filed in *In Re: World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

- against -

Case 1:07-cv-05556-AKH Document 19 Filed 09/13/2007 Page 2 of 3

To the extent the allegations in plaintiff's Check-Off Complaint do not correspond to

the allegations in the Master Complaint attached as Exhibit A to Case Management Order 4 in the

21 MC 102 consolidated docket, dated June 29, 2007 ("CMO 4"), or conform to the pro-forma

check-off complaint attached as Exhibit B to CMO 4, DB Trust denies any such non-conforming

allegations.

WHEREFORE, DB Trust demands judgment in its favor, dismissing the above-

captioned action, together with costs and disbursements, and for such other relief as this Court

deems just and equitable.

DAY PITNEY LLP

Attorneys for Defendant

Deutsche Bank Trust Corporation

By: s/ Benjamin E. Haglund

BENJAMIN E. HAGLUND A Member of the Firm

DATED: September 13, 2007

-2-

## **CERTIFICATION OF SERVICE**

The undersigned certifies that on this date, the attached Notice of Adoption of Answer to Master Complaint was electronically served and filed with the United States District Court for the Southern District of New York via the Court's ECF system.

I certify under penalty of perjury that the foregoing is true and correct.

Executed on: September 72, 2007

JOHN D. COYLE